

**CONSERVATION COMMISSION
MEETING MINUTES**

MARCH 29, 2005

PRESENT: James Gage, David Hurley, Jesse Amsel, Shawn Costello, and Walter Moody

ABSENT: Glenn Eberly

STAFF

PRESENT: Matt Davis, Town Planner & Reanna Goodreau, Recording Secretary

I. CALL TO ORDER:

Chairman Costello called the Ellington Conservation Commission meeting to order at 7:07 PM.

II. PUBLIC COMMENTS: NONE

III. NEW BUSINESS:

1. Review of Proposed 20-Lot Subdivision: Development Services, LLC, 33 Newell Hill Road, APN 127-014-0000

Attorney Walter Twachtman, counsel for the developer, came forward to explain the proposal. He stated that the application is currently before the Inland Wetlands Agency, who decided to continue the public hearing in order to receive comments from the Conservation Commission regarding the proposed open space. Attorney Twachtman stated that the proposal is for a 20 lot subdivision on a 70 acre parcel. The developer is offering a 35 acre parcel to be deeded to the town to meet the open space requirement. He stated that there is a watercourse and wetlands located within the proposed open space.

Commissioner Hurley asked if there were any other open space parcels near or abutting this proposed piece and was told that there were not. There was a discussion about the access to the open space with respect to emergency services and also regarding the availability of parking to citizens wanting to use the open space. Jay Fischer, developer, explained that there is no physical road access to the open space and noted that the cul-de-sac should be sufficient for parking. Commissioner Hurley noted that this area is subject to increased interest in development and that this open space would provide a good protective area for wildlife habitat.

**MOVED (HURLEY), SECONDED (MOODY) AND PASSED UNANIMOUSLY TO
RECOMMEND TO THE PLANNING & ZONING COMMISSION THAT THE TOWN ACCEPT
THE PROPOSED 35 ACRES OF OPEN SPACE.**

BY CONSENSUS, THE COMMISSION WENT OUT OF AGENDA ORDER.

3. Discussion with Julie Gross of the Hockanum River Trail Association (HRTA) Regarding Implementation of a Trail System by the HRTA

Chairman Costello stated that it was his understanding that Ms. Gross as a member of the Hockanum River Watershed Association (HRWA) is proposing to fund and build a trail along the Hockanum River and that she has a number of owners' consent letters.

Ms. Gross explained that she has verbal permission from some property owners along the Hockanum River to create a basic trail on their properties. She explained that the Hockanum River Watershed Association is currently looking to install trails and bridges along the eastern side along the eastern section of the Hockanum River, but that they would eventually like to connect along the western side as well.

There was a discussion between Ms. Gross and the commission regarding the logistics of creating the trail and crossings. Ms. Gross stated the president of the HRWA has a lot of experience in trail making and may be helpful to talk with. The commission agreed and asked to have him attend the April 26, 2005 meeting.

MOVED (AMSEL), SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO TABLE THIS ITEM TO THE APRIL 26, 2005 MEETING SO THAT MS. GROSS CAN ATTEND WITH THE PRESIDENT OF THE HOCKANUM RIVER WATERSHED ASSOCIATION IN ORDER TO PROVIDE THE COMMISSION WITH MORE INFORMATION.

IV. UNFINISHED BUSINESS:

1. Review of Age Restricted Cluster Housing: Pioneer Builders of Ellington, 22 Maple Street, APN 073-014-0000

Dan Delaney, engineer for the developer, came forward to review the revised plan as requested by the Conservation Commission. He noted that the plan had been revised to outline the greenspace. Mr. Delaney stated that the proposed greenspace is 22% of the project and the calculations do not include the 5 acre parcel proposed to be donated the Town for a senior center. The commission requested that they submit a detailed landscape plan of the greenspace for the April 26, 2005 meeting.

MOVED (MOODY), SECONDED (AMSEL) AND PASSED (RECUSED: HURLEY) TO REQUEST THAT THE DEVELOPER ATTEND THE APRIL 26, 2005 MEETING IN ORDER TO PROVIDE THE COMMISSION WITH MORE INFORMATION ABOUT THE GREENSPACE PLAN/CONCEPT.

BY CONSENSUS, THE COMMISSION RETURNED TO ORIGINAL AGENDA ORDER.

III. NEW BUSINESS:

2. Discussion of Town Owned Open Space Parcels on Shenipsit Street, APN 030-005-0000 & 021-031-0005

Chairman Costello explained that he has spoken with a member of the Audubon Society about various programs and funding sources and the possibility of using open space properties for the Audubon Society. He stated that one of the charges for the commission is to review existing open space parcels for uses. He requested that the commissioners review the Batz property on Shenipsit Street and the open space parcel from the private road subdivision off Shenipsit Street for uses for discussion at the next meeting.

MOVED (AMSEL), SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO TABLE THIS ITEM TO THE APRIL 26, 2005 MEETING.

4. Discussion of First Selectman's Request for Advisory Comments on Potential Discontinuance of a Portion of Porter Road

Matt Davis, Town Planner, stated that the First Selectman approached the Town Engineer, the Public Works Director, and him with the idea of discontinuing the eastern portion of Porter Road. The staff advised that it was the responsibility of the Board of Selectmen to discontinue roads, but that it may be helpful to seek informal input from the Conservation Commission.

The commission decided it was a good idea to discontinue a portion of Porter Road, but that the Town should maintain an easement for public access for possible future trails. They also agreed that if this was to move forward, they would like more detailed information in order to give a more formal opinion.

BY CONSENSUS, THE COMMISSION ASKED THAT THE TOWN PLANNER RELAY TO THE FIRST SELECTMAN THAT THE CONSERVATION COMMISSION GENERALLY SUPPORTS THE CONCEPT OF DISCONTINUING OF A PORTION OF PORTER ROAD WITH THE CONDITION THAT THE TOWN RETAINS AN EASEMENT OVER THE DISCONTINUED RIGHT OF WAY AND WOULD LIKE MORE DETAILED INFORMATION REGARDING THE DISCONTINUANCE IF THE PROPOSAL MOVES FORWARD.

IV. UNFINISHED BUSINESS:

2. Discussion of Open Space Fee-In-Lieu

Matt Davis explained that there was a discussion regarding the Ryefield Estates fee in-lieu of open space at the March 28, 2005 Planning & Zoning Commission meeting. Gerry Gingras admitted that the appraisal was faulty because he purchased two lots at \$350,000 each and the appraisal stated that the cost was \$350,000 for both lots. After a lengthy discussion, the commission and Mr. Gingras agreed to base the fee in-lieu of open space on \$250,000.

Commissioner Gage suggested that the PZC develop a list of commission approve appraisers. Chairman Costello suggested that a committee should be set up to create that list. The committee should include members from the PZC, CC, BOS, and the Finance Officer and they would interview appraiser to see if they wanted to include them on their list.

MOVED (GAGE), SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO RECOMMEND TO THE PLANNING & ZONING COMMISSION THAT THE PZC SET UP A SUBCOMMITTEE THAT WOULD CONSIST OF MEMBERS OF THE PZC, CC, BOS, & THE FINANCE OFFICER

IN ORDER TO INTERVIEW & SELECT APPRAISERS TO CREATE AN APPROVED LIST OF APPRAISERS.

3. Commission Workshop on Open Space Plan

Chairman Costello stated that the Town Planner had completed the draft open space plan. He would like the commissioners to read the draft, make comments, and review as a commission at a special meeting.

Matt Davis stated that he would like to have Planimetrics do graphics for the open space plan. He will be meeting with Bruce Hoben of Planimetrics next week to review the scope.

BY CONSENSUS, THE COMMISSION DECIDED TO HOLD A SPECIAL MEETING FOR REVIEWING THE DRAFT OPEN SPACE PLAN AT A DATE TO BE DETERMINED, BUT BEFORE THEIR APRIL 26, 2005 MEETING.

V. ADMINISTRATIVE BUSINESS:

MOVED (AMSEL), SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA A LETTER FROM SHAWN COSTELLO TO THE BOARD OF SELECTMEN REGARDING A PERSONNEL MATTER.

1. Letter from Shawn Costello to the Board of Selectmen Regarding a Personnel Matter

Chairman read the letter to the commissioners. He stated that the item was not open to discussion in order for the Public Works Director to be able to attend and comment.

BY CONSENSUS, THE COMMISSION TABLED THIS ITEM TO THE APRIL 26, 2005 IN ORDER TO ALLOW THE PUBLIC WORKS DIRECTOR TO BE IN ATTENDANCE.

2. Discussion of Connecticut General Statutes, Section 7-131a

Chairman Costello stated that he has reviewed CGS 7-131a and believes that the Commission has more in depth role than many people believe. The commission reviewed various sections of the statute. Some members had concerns about the interpretation of what the commission was empowered to do. It was suggested to review the roles of a conservation commission with the Connecticut Association of Conservation and Wetlands Commissions (CACWIC).

BY CONSENSUS, THE COMMISSION TABLED THIS ITEM TO THE APRIL 26, 2005.

3. Northern Connecticut Land Trust Dues

Chairman Costello read the memo from the Town Planner regarding dues for the Northern Connecticut Land Trust (NCLT). The commissioners debated if they should donate as a patron at \$250 or a life member at \$500 and it was decided that they would give as a patron, so that they can use other money in their budget to complete the open space plan. The commission felt that donating to the NCLT was worthwhile because of the large amounts of open space they protect and their stewardship on existing NCLT lands.

MOVED (MOODY), SECONDED (HURLEY) AND PASSED (RECUSED: GAGE) TO DONATE TO THE NORTHERN CONNECTICUT LAND TRUST AS A LIFE MEMBER (\$250).

4. Approval of February 22, 2005 Meeting Minutes

MOVED (AMSEL), SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 22, 2005 MEETING MINUTES.

5. Correspondence:
a. Memo to BOS & BOF from Matt Davis, dated 2/22/05 (Proposed FY 05-06 Budgets)

Chairman Costello stated that the Board of Selectmen agreed to put the real estate conveyance tax to the open space fund, which would help back the bonding issue. He stressed the need for the commission to support their budget request.

- b. Memo to Dennis Milanovich & BOS from Matt Davis, dated 2/22/05 ("Streamline" Permit Process)
- c. Memo to Dennis Milanovich from Matt Davis, dated 2/23/05 (Land Use Fees Analysis)
- d. Memo to PZC, IWA & ZBA from Matt Davis, dated 2/28/05 (Changes to Land Use Fees)
- e. Letter to Robert Phillips from Dennis Milanovich, dated 3/18/05 (Offer for ZEO Position)
- f. Memo to Dennis Milanovich from Matt Davis, 3/21/05 (BOS 3/14/05 Minutes)
- g. Landmark Newsletter, February 2005
- h. Spring 2005 Open Space & Watershed Land Acquisition Grant Program

The commission discussed the possibility of submitting a grant. Commissioner Gage stated that an appraisal and purchase agreement is required and there is not enough time to complete that before the grant applications are due. Chairman Costello stated that he would meet with Dave Staiger at the DEP to discuss the grant application requirements. The commission decided they would start to make a list of properties that they would want to pursue for open space purchases.

SO NOTED.

VI. ADJOURNMENT:

MOVED (HURLEY), SECONDED (MOODY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:10 PM.

Respectfully submitted,

Reanna Goodreau
Recording Secretary